IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

OP.No. 24194 of 2001(E)

PETITIONER:

K.P.VARGHESE,
S/O.POULOSE,
KOLUTHARA,
T.D. ROAD, ERNAKULAM.

BY ADV. SRI.P.S.USUPH
SRI.P.U.ZIYAD

RESPONDENTS:
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1. THE STATE OF KERALA,
REP. BY THE CHIEF SECRETARY,
SECRETARIAT, TRIVANDRUM.

2. THE DISTRICT COLLECTOR,
ERNAKULAM, COLLECTORATE,
KAKKANAD, COCHIN-30.

3. THE TAHSILDAR,
KANAYANNUR TALUK,
TALUK OFFICE,
COCHIN-11.

BY G.P. SMT.SMITHA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO.39594/2001 IN O.P. NO.24194/2001

DISMISSED:

19.2.2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE PHOTOCOPY OF DOCUMENT NO.3582/1979 OF THE ERNAKULAM SUB REGISTRY OFFICE.

P2: .DO. NO.2184/1991 .DO.

P3: TRUE PHOTOCOPY OF JUDGMENT DT.27.11.1967 IN O.S. 756/1963 OF ADDL. MUNSIFF COURT, ERNAKULAM.

P4: TRUE PHOTOCOPY OF JUDGMENT IN A.S. NO.100/1970 IN THE COURT OF FIRST ADDL. SUBORDINATE JUDGE, ERNAKULAM.

P5: .DO. S.A. 1217/1974 OF THE HON'BLE HIGH COURT OF KERALA, DT.9.1.1978.

P6: TRUE PHOTOCOPY OF PROCEEDINGS DT.12.2.2001 OF R2.

P7: TRUE PHOTOCOPY OF NOTICE DT.NIL ISSUED BY R3.

P8: TRUE PHOTOCOPY OF NOTIFICATION DT.1.4.1997 OF R1.

P9: TRUE PHOTOCOPY OF RECEIPT DT.8.3.96 IN RESPECT OF GROUND RENT PATTA NO.24 FOR THE PERIOD 1995-96 ISSUED BY VILLAGE OFFICER, ERNAKULAM TO THE PETITIONER.

P10: TRUE PHOTOCOPY OF ORDER DT.6.1.2000 IN CMP NO.827/2000 IN O.P. NO.534/2000L OF HON'BLE HIGH COURT OF KERALA.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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O.P. No.24194 of 2001

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Dated this the 19th day of February, 2007.

JUDGMENT

Counsel for the petitioner produced copy of common judgment in O.P. No.28189/1999 and connected cases dated 28.6.2002 wherein this court has declared the Government Order enhancing ground rent illegal and unenforceable. It is submitted in court that appeal is not filed against the judgment of the Single Judge. In circumstances, this O.P. is also disposed of following the said judgment granting same relief to the petitioner as in that judgment.

C.N.RAMACHANDRAN NAIR
Judge

pms